

Proposed Hearing Date, Time: March 6, 2024 at 11:00 AM (Prevailing Eastern Time)
Proposed Objection Deadline: February 12, 2024 at 4:00 PM (Prevailing Eastern Time)

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC., *et al.*,¹

)
) Chapter 11
)
) Case No. 23-10063 (SHL)
)
) (Jointly Administered)
)

**NOTICE OF MOTION OF THE GENESIS CRYPTO CREDITORS AD HOC GROUP
TO EXCEED THE PAGE LIMIT FOR ITS OBJECTION TO CONFIRMATION
OF THE AMENDED JOINT CHAPTER 11 PLAN OF GENESIS GLOBAL HOLDCO,
LLC, GENESIS GLOBAL CAPITAL, LLC, AND GENESIS ASIA PACIFIC PTE. LTD.**

PLEASE TAKE NOTICE that on the date hereof, the Genesis Crypto Creditors Ad Hoc Group (the “Crypto Creditors Group”) filed the *Motion of the Genesis Crypto Creditors Ad Hoc Group to Exceed the Page Limit for its Objection to Confirmation of the Amended*

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s tax identification number (as applicable) are: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); and Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these Chapter 11 Cases, the service address for the Debtors is 175 Greenwich Street, Floor 38, New York, NY 10007.

Joint Chapter 11 Plan of Genesis Global HoldCo LLC, Genesis Global Capital, LLC and Genesis Asia Pacific PTE. Ltd. (the “Motion”).

PLEASE TAKE FURTHER NOTICE that the undersigned counsel will present the Motion to the Honorable Sean H. Lane, United States Bankruptcy Court for the Southern District of New York (the “Court”) at a hearing to be held virtually on Zoom on March 6, 2024, at 11:00 a.m. (Eastern Time) (the “Hearing”). Parties wishing to appear at the Hearing, whether making a “live” or “listen only” appearance before the Court, need to make an electronic appearance through the Court’s website at <https://www.nysb.uscourts.gov/ecourt-appearances> no later than 4:00 p.m. (Eastern Time), one business day prior to the Hearing. Outlook invitations for the Hearing will be sent shortly thereafter.

PLEASE TAKE FURTHER NOTICE that any responses or objections (the “Objections”) shall: (a) be in writing; (b) conform to the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules for the Southern District of New York, all General Orders applicable to Chapter 11 cases in the United States Bankruptcy Court for the Southern District of New York, and the *Order Implementing Certain Notice and Case Management Procedures* [Docket No. 44]; (c) be filed electronically with the Court on the docket of *In re Genesis Global Holdco, LLC, et al.*, No. 23-10063 (SHL) by registered users of the Court’s electronic filing system and in accordance with all General Orders applicable to Chapter 11 cases in the United States Bankruptcy Court for the Southern District of New York (which are available on the Court’s website at <http://www.nysb.uscourts.gov>); and (d) be served so as to be actually received by February 12, 2024 at 4:00 p.m. (Eastern Time) (the “Objection Deadline”), by (i) the Crypto Creditors Group; (ii) entities on the Master Service List available on the case website of the above-captioned debtors and debtors-in-possession and

(iii) any other person or entity with a particularized interest in the subject matter of this Motion.

PLEASE TAKE FURTHER NOTICE that only those objections that are timely filed, served and received will be considered at the Hearing. Failure to file a timely objection may result in the entry of an order granting the relief requested in the Motion without further notice. Failure to attend the Hearing may result in relief being granted or denied upon default. In the event that no objection to the Motion is timely filed and served, the relief requested in the Motion may be granted without a hearing before the Court.

PLEASE TAKE FURTHER NOTICE that copies of the Motion may be obtained from the Court's website, <https://nysb.uscourts.gov>, in accordance with the procedures and fees set forth therein, or obtained free of charge by visiting the website of Kroll Restructuring Administration, <https://restructuring.ra.kroll.com/genesis>.

Dated: February 4, 2024
New York, New York

MCDERMOTT WILL & EMERY LLP

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*Counsel to the Genesis
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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC., *et al.*,¹

)
) Chapter 11
)
) Case No. 23-10063 (SHL)
)
) (Jointly Administered)
)

**MOTION OF THE GENESIS CRYPTO CREDITORS AD HOC GROUP
TO EXCEED THE PAGE LIMIT FOR ITS OBJECTION TO CONFIRMATION
OF THE AMENDED JOINT CHAPTER 11 PLAN OF GENESIS GLOBAL HOLDCO,
LLC, GENESIS GLOBAL CAPITAL, LLC, AND GENESIS ASIA PACIFIC PTE. LTD.**

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's tax identification number (as applicable) are: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); and Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these Chapter 11 Cases, the service address for the Debtors is 175 Greenwich Street, Floor 38, New York, NY 10007.

The Genesis Crypto Creditors Ad Hoc Group (the “Crypto Creditors Group”), by and through its counsel, McDermott Will & Emery LLP (“McDermott”), hereby submits this motion (the “Motion”)² for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), authorizing the *Genesis Crypto Creditors Ad Hoc Group’s Objection to Confirmation of the Amended Joint Chapter 11 Plan of Genesis Global Holdco, LLC, Genesis Global Capital, LLC, and Genesis Asia Pacific Pte. Ltd.* (the “Confirmation Objection”) to exceed the page limitation (the “Page Limit”) established in the *Order Implementing Certain Notice and Case Management Procedures* [Docket No. 44] (the “Case Management Procedures”).

The Crypto Creditors Group requests to extend the Page Limit for the Confirmation Objection to sixty (60) pages.

JURISDICTION AND VENUE

1. The United States Bankruptcy Court for the Southern District of New York (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the Southern District of New York*, entered February 1, 2012. The Crypto Creditors Group confirms its consent to the Court entering a final order in connection with this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

2. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

BASIS FOR RELIEF

3. The Case Management Procedures sets forth a Page Limit for objections to be no longer than forty (40) pages in length. *See Case Management Procedures* ¶6.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

4. In articulating the arguments against confirmation of the *Amended Joint Chapter 11 Plan* [Docket No. 948] (as amended, modified, and supplemented from time to time, the “Plan”), the Crypto Creditors Group must address extensive, complex, and novel legal and factual issues. The Plan Objection provides both legal arguments and citations to the factual record objecting to confirmation of the Debtors’ Plan on the basis that, among other things, (i) the Plan does not provide administrative expense claim treatment to claims arising out of the Genesis Contracts, which are entitled to such treatment; (ii) the Plan violates the rights of the Crypto Creditors Group under Bankruptcy Code section 562(a), which requires claims arising out of certain contracts to be priced as of the date of rejection; (iii) confirming the Plan would be injurious to public policy; and (iv) the releases proposed in the Plan are inappropriate.

5. The Plan Objection also provides the Court with numerous citations to legal authority and written testimony provided by the Debtors’ witnesses, which are intended to help the Court and other parties in interest develop a thorough understanding of the substantive contested issues that will be presented at the confirmation hearing and will bear directly on whether the Plan can be confirmed. Although the Crypto Creditors Group’s professionals are endeavoring to provide the Court with the most succinct briefing possible, the Crypto Creditors Group believes that the Court and other parties in interest will benefit from being able to review and analyze the Crypto Creditors Group’s position in detail in advance of the hearing.

6. The Crypto Creditors Group wishes to provide clarity and transparency and to address all arguments associated with confirmation of the Plan. By obtaining the relief requested to extend the Page Limit, the Crypto Creditors Group can substantially address all of the issues presented to the Court regarding the confirmability of the Plan.

NOTICE

7. The Crypto Creditors Group has provided notice of this Motion in accordance with the procedures set forth in the *Order Implementing Certain Notice and Case Management*

Procedures, [Docket No. 44]. The Crypto Creditors Group submit that, in light of the nature of the relief requested, no other or further notice need be provided.

NO PRIOR REQUEST

8. No prior motion for the relief requested herein has been made to this or any other court.

Dated: February 4, 2024
New York, New York

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*Counsel to the Genesis Crypto
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Exhibit A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

)	
In re:)	Chapter 11
)	
Genesis Global Holdco, LLC, <i>et al.</i> , ¹)	Case No. 23-10063 (SHL)
)	
)	(Jointly Administered)
)	

**ORDER GRANTING THE MOTION OF THE
GENESIS CRYPTO CREDITORS AD HOC GROUP TO EXCEED
THE PAGE LIMIT FOR ITS OBJECTION TO CONFIRMATION OF
THE AMENDED JOINT CHAPTER 11 PLAN OF GENESIS GLOBAL HOLDCO,
LLC, GENESIS GLOBAL CAPITAL, LLC, AND GENESIS ASIA PACIFIC PTE. LTD.**

Upon consideration of the *Motion of the Genesis Crypto Creditors Ad Hoc Group to Exceed the Page Limit for its Objection to Confirmation of the Amended Joint Chapter 11 Plan of Genesis Global Holdco, LLC, Genesis Global Capital, LLC, and Genesis Asia Pacific Pte. Ltd.* (the “Motion”)² for entry of an order (this “Order”) authorizing the Crypto Creditors Group to exceed the page limit requirement for the Plan Objection; all as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the Southern District of New York*, entered February 1, 2012, as a core proceeding pursuant to 28 U.S.C. § 157(b) that this Court may decide by a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that no other notice need be provided; and this Court having reviewed the Motion; and this Court having determined that the legal and factual bases set forth in the Motion establish

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² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefore, IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. The Crypto Creditors Group is authorized to file the Plan Objection in excess of the Page Limit, up to a total of sixty (60) pages.
3. Notwithstanding any Bankruptcy Rule to the contrary, the terms and conditions of this Order are immediately effective and enforceable upon its entry.
4. The Crypto Creditors Group is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.
5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: February ___, 2024
New York, New York

THE HONORABLE SEAN H LANE
UNITED STATES BANKRUPTCY JUDGE